

United States Bankruptcy Court
Eastern District of Virginia
Richmond Division

In re: Patriot Coal Corporation

Case No. 15-32450-KLP

Adv. Proceeding No. 16-03105-KLP

Corrected Debtor(s)

TRANSMITTAL OF NOTICE OF APPEAL AND, IF APPLICABLE, MOTION FOR LEAVE TO APPEAL TO DISTRICT COURT

Pursuant to 28 U.S.C. §158, Notice of Appeal was filed herein on 10/12/2018.

[Check Box if Applicable] ☐ The Appellant(s) also filed a Motion for Leave to Appeal with the Notice of Appeal.

The parties included in the Appeal to the District Court:

APPELLANT(S): Black Diamond Commercial Finance, LLC

ATTORNEY: See Attachment

APPELLEE(S): Virginia Conservation Legacy Fund, Inc.
ERP Compliant Fuels, LLC

ATTORNEY: See Attachment

Brief Description of Judgment/Order Appealed: Order Dismissing Complaint, Dismissing Counterclaim and
Order Denying (I) Defendants' Motion for Partial Summary Judgment and (II) Plaintiff's Motion for Partial Summary Judgment

Date Judgment/Order Entered: 9/28/18 and 2/15/18

1. Filing Fees: A. Notice of Appeal – Filing Fee \$5.00 (✓) Paid () Not Paid
B. Appeal Docket Fee - \$293.00 (X) Paid () Not Paid () Deferred. See Attached Request
2. (✓) Notice of Appeal
3. () Motion for Leave to Appeal (if any)

WILLIAM C. REDDEN, Clerk of Court

By /s/ C. Baumgartner, Deputy Clerk

Date transmitted: 10/18/19

Telephone No. 804-916-2413

U.S. DISTRICT COURT CASE NUMBER: _____

DATE: _____ BY: _____

PLEASE RETURN COPY UPON COMPLETION

Attachment

1. **APPELLANT**

Black Diamond Commercial Finance, LLC
Plaintiff and Counterclaim-Defendant

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Counsel to Black Diamond Commercial Finance, LLC

2. **APPELLEES**

Virginia Conservation Legacy Fund, Inc. and ERP Compliant Fuels, LLC
Defendants and Counterclaim-Plaintiffs

Represented by: Patrick J. Potter (VSB No. 39766)
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Attachment

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*Counsel to Virginia Conservation Legacy Fund, Inc. and
ERP Compliant Fuels, LLC*